

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
OCTOBER 2, 2014**

Town of Bedford
Bedford Town Hall
Lower Level Conference Room

PRESENT: Angelo Colasante, Chair; Todd Crowley, Vice Chair; Jeffrey Dearing, Acting Clerk; Kay Hamilton; Arthur Smith; Robert Kalantari

ABSENT: Carol Amick, Clerk; Michelle Puntillo

Mr. Colasante introduced himself and read the emergency evacuation notice. The Zoning Board of Appeals (ZBA) members and assistant introduced themselves.

PRESENTATION: Mr. Dearing, Acting Clerk, read the notice of the hearing.

PETITION #006-15 – Pamela Brown, Esq., for Salem Five Bank, at 285 Great Road, seeks a Special Permit per Article 39.4 Section 3(A) of the Sign Bylaw to allow more than one wall sign; and per Article 39.5 Section 1 of the Sign Bylaw to illuminate freestanding and wall signs.

Ms. Brown greeted the Board and stated that her application involved signage for the new Salem Five Bank at 285 Great Road, the site where the Travel Lodge once stood. She said that this application involved illumination for three signs: two wall signs on the building and a freestanding sign near the street. She noted that all three signs were allowed by right but required a Special Permit for the illumination.

There was discussion about details of the illumination and the lighting fixtures.

Mr. Kalantari asked whether these signs would prohibit the other tenant in the building from having a sign. Ms. Brown said it would not; there was already space for a by-right tenant sign both on the building and on the freestanding sign.

Mr. Dearing said that it appeared that there was an awning on the side of the building; he asked whether there would be any signage on it. Ms. Brown said there would not, and the awning was most likely just an overhang for the drive-up ATM.

Mr. Colasante stated that the synopsis from Christopher Laskey, the Code Enforcement Director, regarding this application mentioned that the freestanding pylon sign for the Travel Lodge was still standing; Mr. Laskey's suggestion was to condition this new Special Permit on the removal of the existing sign. The Board members agreed that this was a good idea. Ms. Brown said she hadn't talked to her client about this issue but she did not feel that such a condition would be a problem.

Mr. Colasante opened the hearing to the public. With no comments or questions from those in attendance, Mr. Colasante closed the public hearing.

DELIBERATIONS:

Mr. Colasante stated that this was a Special Permit application, and the two conditions of Special Permit were that the project was in keeping with the intent and purpose of the Bylaw and was not injurious or detrimental to the neighborhood. He said he felt this sign illumination met those two requirements. The other members agreed.

There was conversation about the types of shielding that the illumination fixture would have, and whether it would be enough to block the light from oncoming traffic. It was agreed that there would be a condition on the Special Permit that the lights would be directed at the freestanding sign with little to no overspill.

There was discussion about the conditions the Board wanted to place on the Special Permit. Mr. Dearing noted that he always liked to see a condition that the illumination would be on a timer so it would be turned off between the hours of 11:00 PM and 6:00 AM. Ms. Brown stated that she was amenable to all of the conditions mentioned.

MOTION:

Mr. Dearing moved to grant Pamela Brown, Esq., for Salem Five Bank, at 285 Great Road, a Special Permit per Article 39.4 Section 3(A) of the Sign Bylaw to allow more than one wall sign, and per Article 39.5 Section 1 of the Sign Bylaw to illuminate freestanding and wall signs, substantially as shown on Exhibits A through G and subject to the following conditions:

- 1) The illumination will be on a timer so it will remain off between the hours of 11:00 PM and 6:00 AM.
- 2) The new freestanding sign may not be erected until the existing pylon sign has been completely removed.
- 3) Illumination fixtures will be directed at the freestanding sign with little to no overspill.

Mr. Smith seconded the motion.

Voting in favor: Colasante, Crowley, Dearing, Hamilton, and Smith

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Crowley explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds. Once the decision was recorded, barring any appeals, the applicants may illuminate the sign.

Ms. Brown thanked the Board members for their time.

BUSINESS MEETING:

Sign Illumination

The Board talked about the wording of illumination measurement in the Sign Bylaw, and whether “foot lamberts” was an appropriate or antiquated type measurement.

Meeting Minutes

August 28, 2014

Mr. Colasante called for a motion to approve the minutes of the August 28 meeting.

MOTION:

Mr. Dearing moved to approve the August 28 meeting minutes, as written.

Ms. Hamilton seconded the motion.

Voting in favor: Colasante, Crowley, Hamilton, Smith, and Kalantari

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

September 11, 2014

Mr. Colasante called for a motion to approve the minutes of the September 11 meeting.

MOTION:

Mr. Dearing moved to approve the September 11 meeting minutes, as written.

Mr. Smith seconded the motion.

Voting in favor: Crowley, Dearing, Hamilton, Smith, and Kalantari

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

Adjournment

Mr. Colasante called for a motion to adjourn the meeting.

MOTION:

Mr. Smith moved to adjourn the meeting.

Mr. Dearing seconded the motion.

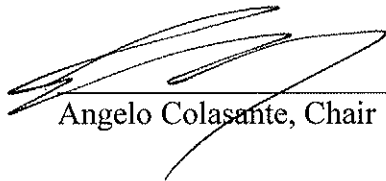
Voting in favor: Colasante, Crowley, Dearing, Hamilton, Smith, and Kalantari

Voting against: None

Abstained: None

The motion carried unanimously, 6-0-0.

The meeting adjourned at 8:35 PM.


Angelo Colasante, Chair

10-30-14
Date

Respectfully Submitted,

Scott Gould
ZBA Assistant